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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/680,166	10/08/2003	Yasushi Yamagoshi	040894-5958	5804

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EXAMINER

WATKO, JULIE ANNE

ART UNIT	PAPER NUMBER
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2653

DATE MAILED: 03/13/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/680,166

Applicant(s)

YAMAGOSHI, YASUSHI

Examiner

Julie Anne Watko

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-3 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1 is/are allowed.
- 6) ☒ Claim(s) 2 and 3 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 January 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)               | Paper No(s)/Mail Date. ____.  |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>10/08/2003</u> .  | 6) <input type="checkbox"/> Other: ____.                                    |

## **DETAILED ACTION**

### ***Priority***

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.
2. Applicant cannot rely upon the foreign priority papers to overcome any rejection because a translation of said papers has not been made of record in accordance with 37 CFR 1.55. See MPEP § 201.15.

### ***Drawings***

3. The drawings were received on 01/21/2004. These drawings are disapproved.  
Figures 4-13D should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g).

Corrected drawings in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

### ***Claim Rejections - 35 USC § 112***

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

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5. Claims 2-3 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 2 recites the limitation "the disk table is rotated by a rotation of the idler gear via the rotating/driving mechanism in this situation" in the last 3 lines. There is insufficient antecedent basis for this limitation in the claims.

For examination purposes, the claim will be interpreted as not reciting this limitation.

Claim 3 is indefinite by virtue of its dependency from indefinite claim 2.

***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

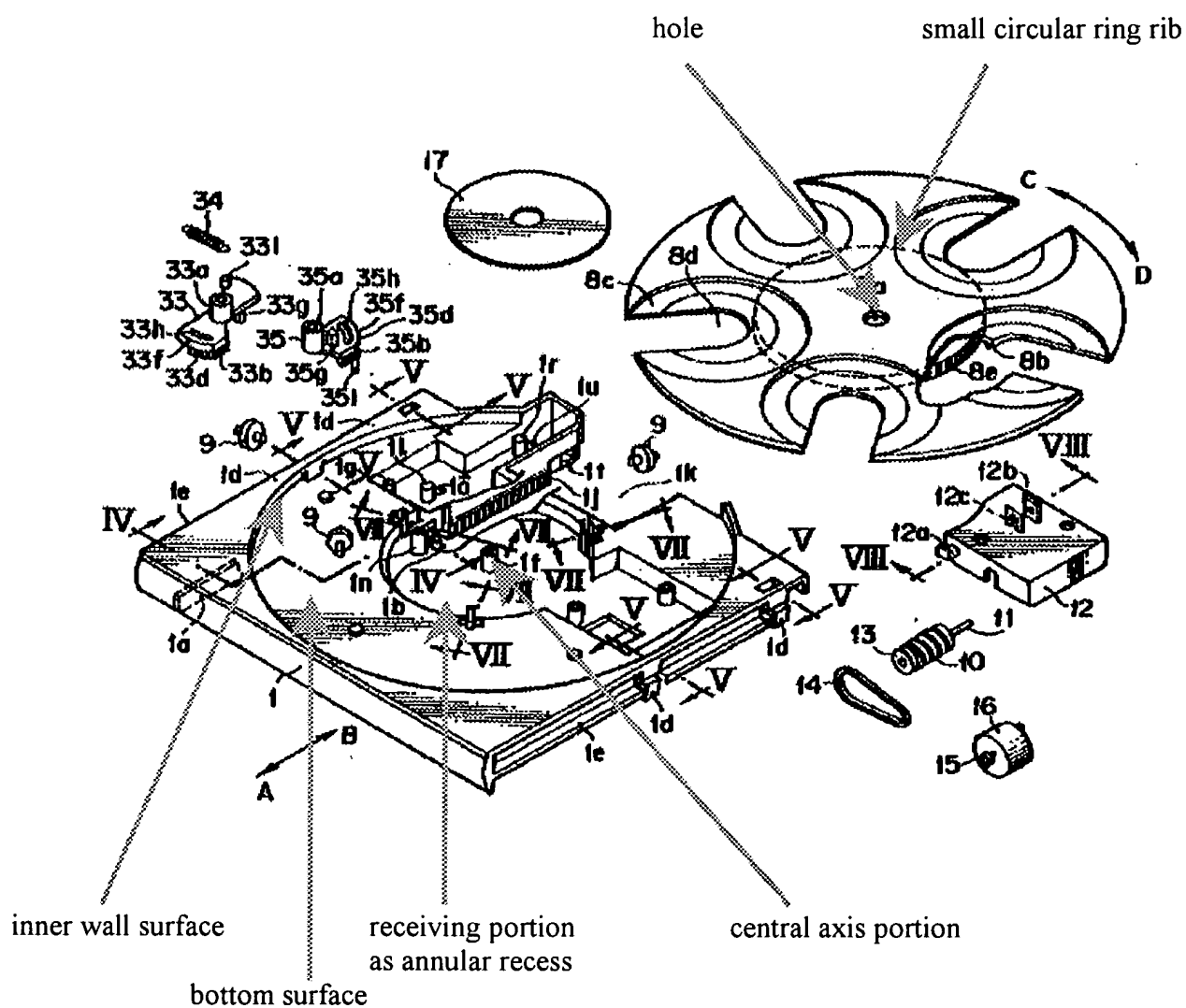
(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 2-3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Morioka (US Pat. No. 5386403) in view of Kume et al (US Pat. No. 6760284 B2).

As recited in claim 2, to the extent understood, Morioka shows a disk table rotation structure, comprising: a tray 1 having an inner supporting wall surface (see Fig. 2, annotated below) that stands upward, inside of the inner wall surface, a central axis portion 1F that stands upward on a center portion of the bottom surface, and a receiving portion disposed around the central axis portion; a disk table 8 having a central through hole portion 8a opened in a center portion and into which the central axis portion is inserted, and a small circular-ring rib 8e extending downward from a periphery of the central through hole portion, the small circular-ring

rib positioned close to the bottom surface of the tray to support rotatably the disk table on the tray.

**Morioka Fig. 2, annotated**



As recited in claim 2, Morioka is silent regarding a large circular-ring positioned close to the bottom surface of the tray provided downward in neighborhood of the inner wall surface and

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in the vicinity of a periphery of the disk table and a lubricating member; wherein only the large supported rotatably on the bottom surface of the tray via the lubricating member.

As recited in claim 2, Kume et al show a large circular-ring 1b positioned close to the bottom surface of the tray provided downward in neighborhood of the inner wall surface and in the vicinity of a periphery of the disk table and a lubricating member 20; wherein only the large supported rotatably on the bottom surface of the tray via the lubricating member (see Fig. 3).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to add the large circular ring and the lubricating member of Kume et al to the structure of Morioka as taught by Kume et al. The rationale is as follows: one of ordinary skill in the art would have been motivated to make the disk table rotate stably and quietly on the tray over a long period of time as taught by Kume et al (see col. 4, lines 24-28).

As recited in claim 3, Morioka shows that the receiving portion is an annular recess formed on the bottom surface of the tray (see Fig. 2, annotated above).

***Allowable Subject Matter***

8. Claim 1 is allowed.

9. The following is a statement of reasons for the indication of allowable subject matter:

The prior art of record neither shows nor suggests the disk table is rotated by a rotation of an idler gear via a rotating/driving mechanism, wherein the idler gear is rotated by a driving motor via a rotating/driving mechanism and having a gear tooth portion that engages with a gear portion of a cam body when the idler gear is moved to one side to drive a disk playing mechanism that moves vertically a turn table, and that engages with an inward gear tooth portion

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provided on the large circular-ring supporting rib, in combination with all other recited structures.

***Conclusion***

10. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Julie Anne Watko whose telephone number is (571) 272-7597. The examiner can normally be reached on T11A-5P W3P-9P Th11:30A-10P F10A-8:30P SatNoon-8:30P.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dwayne D. Bost can be reached on (571) 272-7023. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Julie Anne Watko  
Primary Examiner  
Art Unit 2653

March 5, 2006  
JAW

